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REVIEW OF DEVELOPMENTS IN THE FIELD OF CONTEMPORARY FORMS OF
SLAVERY MEASURES TO PREVENT AND REPRESS ALL CONTEMPORARY
FORMS OF SLAVERY, INCLUDING THE CONSIDERATION OF CORRUPTION
AND INTERNATIONAL DEBT AS PROMOTING FACTORS OF CONTEMPORARY
FORMS OF SLAVERY AND OTHER FORMS OF EXPLOITATION

Report of the Secretary-General

Addendum

This report contains additional information submitted by the Governments of Haiti and the United Arab Emirates, as well as information submitted by Pax Christi International

I. INFORMATION RECEIVED FROM GOVERNMENTS

Haiti

[Original: French]
[2 November 1999]

1. Since the restoration in Haiti of an era of social freedom and the return to democratic and constitutional rule, the Haitian State has striven to give priority to justice and to strengthen all institutions working to combat every form of inequality. Taking into account the change in mentalities and the growing importance accorded to protection of the rights of the child worldwide, the Haitian Government has fought to ensure that, in all sectors of national life, the rights of working children are respected and their interests defended, in accordance with current national legislation and the international agreements and conventions in force.

A. Nature and scale of child employment

2. From the outset it must be made clear that, by tradition, a child workforce in the structured sector is practically non-existent in Haiti. Employment of children is to be found in particular in the following sectors:

- (a) Children in domestic service, called restavèk (rester avec = stay with);
- (b) Children employed in the informal sector;
- (c) Children working in agriculture.

3. The phenomenon of restavèk, a heritage of the colonial era, stems from an essentially economic problem and operates in Haiti in the following way: parents living in rural areas and without adequate financial resources to provide for the survival, well-being and education of their children place them in domestic service with persons residing in towns on condition that they provide for their education. According to a UNICEF survey conducted in 1997, there are in Haiti nearly 250,000 children living as domestic workers, 10 per cent aged between 7 and 10 years.

4. As regards the informal sector, one often meets in the streets little itinerant vendors selling local produce the profits from which go to them or to a third party.

5. In agriculture those concerned are children who, in the majority of cases, help their parents at harvest and crop-gathering time.

B. Administrative framework for protection

6. Though in Haiti the extent of utilization of child labour is insignificant in the structured formal sector, the Haitian Labour Code includes a chapter entitled "Employment of minors" that contains provisions fully complying with international labour standards in that field. Thus Haitian minors wishing to enter the labour market must meet the following legal requirements:

- (a) To have reached the minimum legal age, set at 15 years;
- (b) To produce a medical certificate of fitness for employment;
- (c) To obtain an employment permit from the Directorate of Labour of the Ministry for Social Affairs.

7. In addition they are forbidden, again according to the aforesaid Code, to do night work or be employed in hard or heavy labour or work endangering their physical and mental health or morals.

8. Preventive care for minors at work is the responsibility of the Ministry of Social Affairs, whose organizational law provides for an inspection team in the Women's and Children's Department. It must also be noted, however, that monitoring of the implementation of the provisions governing domestic employment of children is carried out by the Institute of Social Welfare and Research, which is a decentralized body of the Ministry of Social Affairs.

C. Government initiatives

9. Government efforts to combat aggravation of the phenomenon concentrate on two areas:

1. Revision of the legislation

10. Domestic service in Haiti is at present governed by articles 409 to 450 of the chapter in the Labour Code entitled "Children employed in service". The contents of the chapter reflect two main ideas: firstly, protection of children in service, and secondly the ban placed on employment of minors under 12 years of age by a substitute family for domestic work beyond their strength.

11. Like the Rural Code, the Penal Code makes no mention of the penalties applied for abuses committed against children in domestic service. In 1997, therefore, to remedy certain deficiencies in the legislation in force and on the initiative of the Parliamentary Commission on the Rights of the Child, a number of meetings took place with all the sectors concerned with the problem with a view to drawing up a new Children's Code in which the inclusion of provisions concerning children in domestic service was proposed in the section dealing with the replacement family.

2. Ratification of the Convention on the Rights of the Child and Implementation of the International Programme for the Abolition of Child Labour (IPEC)

12. On 29 December 1994 the Haitian Parliament ratified the Convention on the Rights of the Child. In 1997 the Ministry of Social Affairs, with UNICEF and the non-governmental bodies, began drafting the final report on the monitoring of the implementation of that Convention, for submission to the Committee on the Rights of the Child. In addition, the Ministry of Social Affairs requested assistance from the International Labour Organization (ILO) for the implementation of an IPEC programme in Haiti, with the aim of strengthening the protection of children against all forms of dangerous work.

D. Non-governmental initiatives

13. The "Maurice Sixto" home for child domestics is one of the few programmes in Haiti to tackle the manifold risks threatening the development of children in domestic service. It provides services for more than 300 children in the metropolitan area. The staff in charge of the home obtain the employer's agreement to allow the children to see their natural families as often as possible. In the afternoons those minors, in their original homes, attend classes with other children.

14. "Le Passage" takes in children in domestic service who have been victims of abuse. Working in cooperation with the Institute of Social Welfare and Research, it regularly intervenes in the field to bring back those children to their original families.

E. Other initiatives

15. The minimum age provisions are among the essential items in the Convention on the Rights of the Child that ILO recommends its member States to ratify. The Haitian Government has accordingly returned to ILO the questionnaire on the content of the new instruments.

16. In addition, the report on the implementation of Convention No. 138 has been prepared for submission to the competent authority.

F. Conclusion

17. Taking into account the serious dangers involved in child labour, the Haitian Government is taking all the necessary measures and instituting the necessary mechanisms with a view to progressively eliminating this kind of injustice, so as to enable children to enjoy their rights to the full.

United Arab Emirates

[Original: Arabic]
[8 April 1999]

1. The Constitution of the United Arab Emirates guarantees non-discrimination among citizens of the Federation on grounds of origin, place of birth, religious belief or social status. Moreover, all individuals are equal before the law and foreigners living in the State enjoy the rights and freedoms recognized in the international conventions in force or in the treaties and agreements to which the Federation is a party (art. 25).
2. The United Arab Emirates is free from all forms of traffic in persons and of the exploitation of the prostitution of others and no form of sale of children, child prostitution or child pornography can be found therein.
3. There is no form of slavery. Article 346 of the Penal Code stipulates as follows:
"Anyone who causes a person to enter or leave the country with a view to acquiring possession or disposing of the said person, and anyone who acquires, buys, sells, offers for sale or in any way disposes of a person as a slave, shall be liable to a term of imprisonment."
4. The death penalty is prescribed for anyone who uses coercion in order to have sexual relations with a female or to engage in sodomy with a male. Coercion is deemed to have been used if the victim was under 14 years of age at the time of commission of the offence (art. 354).
5. The above-mentioned Code also prescribes a penalty of up to 10 years' imprisonment for anyone who uses coercion, threats or deception to induce a male or female to engage in debauchery or prostitution (art. 364).

II. INFORMATION RECEIVED FROM NON-GOVERNMENTAL ORGANIZATIONS

Pax Christi International

[Original: English]
[9 February 2000]

1. Pax Christi International has recently been working with the Pastoral Land Commission (CPT) in Brazil on the issue of anti-slavery in that country. CPT is an organization affiliated with Pax Christi International. All partners of the Pax Christi network have been invited to write letters to the Brazilian Minister of Labour on this issue.

2. Early this year, Pax Christi International also forwarded a written intervention on the issue of "labour migration" to be made available at the fifty-seventh session of the Commission on Human Rights.
